REMARKS

After entry of this amendment, claims 1-20 are pending in the application. Claims 5 and 15 have been amended into independent form including all of the limitations of the base claim and any intervening claims. Claims 1, 11, and 22 have been amended to more particularly point out and distinctly claim the subject matter which applicant regards as the invention. Reconsideration of the application as amended is requested.

In the Office Action dated September 9, 2005, claims 1, 8, 11, and 20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Cohen et al. (US Patent No. 3,159,165). The preamble of claim 1 has been amended to more specifically point out and distinctly specify that the present invention is a portable, frame supported, outdoor enclosure of flexible material for protecting occupants from at least some elements of nature. The background of the invention of the present application discloses that enclosures of flexible material are commercially available in various sizes to protect one or more people from the elements while camping and enjoying the outdoors, and that typically, the enclosures are provided in a wide variety of structural configurations depending on the size desired and number of people to be sheltered. The enclosures typically can be converted from an erected configuration to a more compact disassembled configuration for easy transportation. The background of the invention further indicates that one problem associated with camping is the lack of environmental control over the interior of the enclosure, and that portable flexible material enclosures for outdoor use do not include any adaptations permitting the use of any commercially available air conditioning equipment, even when the electrical power necessary to operate an air conditioning unit is readily available. It is submitted that the air-supported structure of Cohen et al. is a static structure that relies on pressurized air for support and are not typically sold for use during camping at public or private camp sites. The present invention of a portable outdoor tent enclosure is more properly classified in class 135 subclass 87, 90, or 91. Class 52 is directed to static buildings, and US Patent No. 3,159,165 is

specifically directed to an air-supported structure of static building. One skilled in the art of portable outdoor camping tent enclosures would not have knowledge of or search the air-supported static structure class 52. The present invention is concerned with air conditioning the interior of a portable outdoor camping tent enclosure, rather than providing an air-supported structure as disclosed in the Cohen et al. reference. Accordingly, it is submitted that the Cohen et al. reference is non-analogous art with respect to the present invention. Reconsideration of the Examiner's rejection is requested.

Claim 11 has been amended to recite in Jepson format that in a portable, non-air-supported outdoor tent enclosure of flexible material for protecting occupants from at least some elements of nature, where the enclosure is readily convertable from an erected configuration to a more compact disassembled configuration for transportation, the improvements comprising the recited elements. It is submitted that the Cohen et al. reference taken singularly or in any permissible combination does not anticipate, teach, or suggest a non-air-supported outdoor tent enclosure readily convertable from an erected configuration to a more compact disassembled configuration for transportation, where the improvement comprises a wall panel of flexible material, and a sleeve of flexible material connected to the wall panel and extending in an inwardly direction and an outwardly direction with respect to the wall panel, the sleeve having an inner end and an outer end sealingly securable with respect to the air conditioning unit to be installed by engaging the peripheral inner end and outer end of the sleeve against an external surface of the air conditioning unit to be installed through the sleeve. The Cohen et al. reference does not anticipate, teach, or suggest a sleeve having an outwardly extending portion with respect to the wall panel as recited in claims 8, 11, or 20. In particular, the Cohen et al. reference discloses a large flat portion 70a best seen in Figure 7 of rectangular outline and funnel shape to roughly correspond to the outline of the door frame with a cable 80 provided in addition to cable 64, where cable 80 extends over flat portion 70a and is spaced laterally inwardly from cable 64. See column 3, lines 41-52. Furthermore, the flat 70a does not define a sleeve configuration extending through

the wall panel in both the inwardly direction and the outwardly direction. The Cohen et al. reference teaches a three sided flap extending inwardly and held in place by cable 80. This structural configuration fails to teach or suggest the specific limitations recited in claims 8, 11, and 20. Reconsideration of the Examiner's rejection is requested.

Claims 2-4, 6-7, 9-10, 12-14, and 16-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cohen et al. in view of Meyer (US Patent No. 2,939,467). The Examiner states that it would have been obvious to one skilled in the art to modify the system of Cohen et al. to include the flap of flexible material, wherein the flap is moveable between a storage position and a closed position of Meyer et al. for the purpose of protection against the elements. The addition of the Meyer et al. reference to the disclosure of Cohen et al. does not overcome the deficiencies of the Cohen et al. reference described in detail above. In particular, the Meyer et al. reference discloses an inflatable structure similar to the air-supported structure of Cohen et al. One skilled in the art of portable, frame-supported, non-air-supported outdoor tent enclosures would not have knowledge of or search the air-supported inflatable static structures of class 52. The present invention is concerned with air conditioning the interior of a portable camping tent enclosure, and not concerned with maintaining the structural inflated or air supported configuration of a static building as disclosed in Cohen et al. and/or Meyer et al. Therefore, the Meyer et al. reference is also considered to be non-analogous art with respect to the present invention. The Meyer reference discloses a flap 18 in the shape of a box frame sewn to the housing 19 extending outwardly to be tightly secured around a vehicle during loading and unloading as best seen in Figure 3. However, the Meyer et al. reference taken singularly or in any permissible combination does not anticipate, teach, or suggest a four sided box-frame extending in at least an inwardly direction with respect to the wall panel as more specifically recited in claims 1, 11, and 20. As previously indicated, the Cohen et al. reference fails to disclose a sleeve extending inwardly around all sides of the vestibule 40 (since it does not pass under the floor of the vestibule 40). Furthermore, the Meyer et al. reference teaches that the flap 18 is

normally folded in the interior of the unit when not in use. See column 4, lines 5-7. The section 16 is partially detachably attached along three sides only so that it can be rolled up and secured as shown in Figure 3, or in an alternative embodiment the section 16 is rolled up and secured to the inside of the housing as illustrated in Figure 4. See column 3, line 75- column 4, line 2 and column 4, line 17-20. While the Meyer et al. reference discloses a drawstring 20 mounted in a folded loop portion 21 at the peripheral end of the flap 18 whereby the flap may be tightly secured around the vehicle (see column 4, lines 10-13), the combination of Cohen et al. in view of Meyer et al. does not anticipate, teach, or suggest an elastic periphery at the inner peripheral end of the sleeve to tightly engage with an exterior surface of the air conditioning unit to be installed as recited in claim 6 or 16, and/or an elastic periphery at the peripheral outer end of the sleeve to tightly engage with an exterior surface of the air conditioning unit to be installed as recited in claims 9 and 19. Reconsideration of the Examiner's rejection is requested.

Claims 6, 9, 16, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cohen et al. The Examiner asserts that it would have been obvious to one of ordinary skill in the art to incorporate the features of a sleeve with an elastic periphery into the system of Cohen for the purpose of protection against the elements. It is submitted that the Cohen reference could not be modified as suggested by the Examiner, since the Cohen reference does not anticipate, teach, or suggest a sleeve extending around the entire periphery of the vestibule 40. The flap 70a of Cohen et al. extends only along the vertical sides and top periphery of the vestibule 40 and thus could not be sealingly engaged by an elastic periphery as asserted by the Examiner. Reconsideration of the Examiner's rejection is requested.

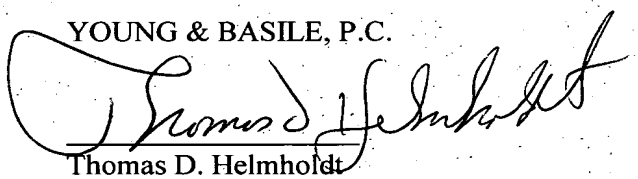
Claims 5 and 15 stand objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5 and 15 have been amended into independent form including all of the limitations of the base claim and any intervening claims. It is submitted that this amendment places claims 5 and 15 in suitable condition for allowance; notice of which is requested.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

YOUNG & BASILE, P.C.



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